

SENATE BILL 3449  
By Crutchfield

AN ACT to amend Tennessee Code  
Annotated, Title 67, Chapter 4,  
relative to franchise and excise  
taxes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

**SECTION 1.** Tennessee Code Annotated, Section 67-4-2015, is amended by deleting the language in subsection (g) and substituting instead the following:

(g)(1) An extension of time of six (6) months in which to file the franchise and excise tax return will be granted; provided that, on or before the original due date of the return, the taxpayer has paid franchise and excise taxes equal to ninety percent (90%) of the liability for the tax year for which the extension is being requested, and the extension request is made as required in subdivision (2) of this subsection. Where the taxes paid on or before the original due date of the return do not equal ninety percent (90%) of the liability for the tax year for which the extension is being requested, or if the return is not filed by the extended due date, penalty as provided by § 67-1-804 and interest as provided by § 67-1-801(a) shall attach as though no extension had been granted.

(2) An extension request shall be made as follows:

(A) If the taxpayer is not required to make a tax payment with its extension request, the taxpayer may use either a form prescribed by the commissioner or a copy of the taxpayer's request for an automatic extension of time to file its federal income tax return for the corresponding tax period. The form shall not be filed on the original due date of the return but, instead, shall be attached to the return filed on or before the extended due date;

(B) If the taxpayer is required to make a tax payment with its extension request and the taxpayer does not file its federal income tax return as a member of a

consolidated group, the taxpayer may use either a form prescribed by the commissioner or a copy of the taxpayer's request for an automatic extension of time to file its federal income tax return for the corresponding tax period. The form shall be filed with the tax payment on or before the original due date of the return; and

(C) If the taxpayer is required to make a tax payment with its extension request and the taxpayer files its federal income tax return as a member of a consolidated group, the taxpayer must use a form prescribed by the commissioner. The form shall be filed with the tax payment on or before the original due date of the return.

**SECTION 2.** This act shall take effect upon becoming a law and apply to tax years ending on or after July 1, 2004, the public welfare requiring it